

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

CARLYON CICA CHTD.
CANDACE C. CARLYON, ESQ.
Nevada Bar No.2666
DAWN M. CICA, ESQ.
Nevada Bar No. 4565
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
Phone: (702) 685-4444
Fax: (725) 386-4979
Email: ccarlyon@carlyoncica.com
dcica@carlyoncica.com

Counsel for Chris McAlary

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No.: Case No. BK-S-23-10423-MKN
Chapter 11

**NOTICE OF ENTRY OF ORDER
APPROVING STIPULATION TO EXTEND
OPPOSITION DEADLINES TO JOINT
MOTION TO APPROVE SETTLEMENT
AGREEMENT WITH COLE KEPRO
INTERNATIONAL, LLC PURSUANT TO
FEDERAL RULE OF BANKRUPTCY
PROCEDURE 9019 [ECF NO. 1295]**

Hearing Date: November 28, 2023
Hearing Time: 1:30 p.m.

PLEASE TAKE NOTICE that an *Order Approving Stipulation to Extend Opposition Deadlines to Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC Pursuant to Federal Rule of Bankruptcy Procedure 9019 [ECF No. 1295]* [ECF No. 1436] was entered in the Bankruptcy Court on October 26, 2023, a true and correct copy of which is attached hereto as Exhibit 1.

Respectfully submitted this 30th day of October 2023

CARLYON CICA CHTD.

By: /s/ Dawn M. Cica, Esq.
DAWN M. CICA, ESQ.
Nevada Bar No. 4565
Co-Counsel for Christopher McAlary

CERTIFICATE OF SERVICE

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Cristina Robertson
An employee of Carlyon Cica Chtd.

EXHIBIT “1”

EXHIBIT “1”



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
October 26, 2023

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

CARLYON CICA CHTD.
CANDACE C. CARLYON, ESQ.
Nevada Bar No.2666
DAWN M. CICA, ESQ.
Nevada Bar No. 4565
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
Phone: (702) 685-4444
Email: ccarlyon@carlyoncica.com
dcica@carlyoncica.com
Co-Counsel for Chris McAlary

DIAMOND MCCARTHY LLP
Allan B. Diamond, Esq.
(pro hac vice admitted)
Christopher D. Johnson, Esq.
(pro hac vice admitted)
Justin Strother, Esq.
(pro hac vice forthcoming)
909 Fannin, Suite 3700
Houston, Texas 77010
Email: adiamond@diamondmccarthy.com
chris.johnson@diamondmccarthy.com
justin.strother@diamondmccarthy.com
Co-Counsel for Chris McAlary

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No.: Case No. BK-S-23-10423-MKN

Chapter 11

**ORDER APPROVING STIPULATION
REGARDING SCHEDULING OF
DATES IN CONNECTION WITH
JOINT MOTION TO APPROVE
SETTLEMENT AGREEMENT WITH
COLE KEPRO INTERNATIONAL,
LLC PURSUANT TO FEDERAL
RULE OF BANKRUPTCY
PROCEDURE 9019[ECF NO. 1295]**

Hearing Date: November 1, 2023
Hearing Time: 9:30 a.m.

CARLYON CICA CHTD.
 265 E. Warm Springs Road, Suite 107
 Las Vegas, NV 89119

1 The Court, having reviewed and considered the *Stipulation Regarding Scheduling of*
 2 *Dates in Connection with Joint Motion to Approve Settlement Agreement with Cole Kepro*
 3 *International, LLC Pursuant to Federal Rule of Bankruptcy Procedure 9019*[ECF No. 1295]
 4 entered into by Chris McAlary (“McAlary”), Cash Cloud, Inc. (“Debtor”) and Official
 5 Committee of Unsecured Creditors (the “Committee”), and good cause appearing:

6 **IT IS HEREBY ORDERED** that the Stipulation [ECF No. 1411] attached as Exhibit 1
 7 is approved in its entirety.

8 **IT IS FURTHER ORDERED** that the following dates shall apply with respect to *Joint*
 9 *Motion to Approve the Settlement Agreement with Cole Kepro International, LLC Pursuant to*
 10 *Federal Rule of Bankruptcy Procedure 9019*[ECF No. 1295].

EVENT	DATE
30(b)(6) Deposition of Debtor Cash Cloud Inc.	October 24, 2023 at 9:00 a.m.
Deadline for McAlary to object to Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC (the “Objection”)	10 days prior to the Hearing Date
30(b)(6) Deposition of the Official Committee of Unsecured Creditors Inc.	October 30, 2023 at 9:00 a.m.
All declarants to be made available for remote deposition at dates convenient to the witnesses and counsel.	No later than 7 days prior to the Hearing Date
Deadline for Debtor and the Committee to file Replies in support of Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC	5 days prior to the Hearing Date
Hearing Date - (Half Day) Court will enter date	November 28, 2023 at 1:30 p.m. (In Person Hearing)

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

IT IS SO ORDERED.

Submitted by:

CARLYON CICA CHTD.

By: /s/ Dawn M. Cica, Esq.
CANDACE C. CARLYON, ESQ.
Nevada Bar No.2666
DAWN M. CICA, ESQ.
Nevada Bar No. 4565
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
Counsel for Christopher McAlary

FOX ROTHSCHILD LLP

By: /s/ Brett A. Axelrod, Esq.
BRETT A. AXELROD, ESQ.
Nevada Bar No. 5859
DANIEL MANN, ESQ.
Nevada Bar No. 15594
NICHOLAS A. KOFFROTH, ESQ.
Nevada Bar No. 16264
Counsel for Debtor

SEWARD & KISSEL LLP

By: /s/ Laura E. Miller, Esq.
John R. Ashmead, Esq.
Robert J. Gayda, Esq.
Catherine V. LoTempio, Esq.
Laura E. Miller, Esq.
Andrew J. Matott, Esq.
(pro hac vice applications granted) One
Battery Park Plaza
New York, NY 10004

-and-

MCDONALD CARANO LLP

Ryan J. Works, Esq. (NSBN 9224)
Amanda M. Perach, Esq. (NSBN 12399)
2300 West Sahara Avenue, Suite 1200
*Counsel for Official Committee of
Unsecured Creditors*

EXHIBIT “1”

EXHIBIT “1”

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

CARLYON CICA CHTD.
CANDACE C. CARLYON, ESQ.
Nevada Bar No.2666
DAWN M. CICA, ESQ.
Nevada Bar No. 4565
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
Phone: (702) 685-4444
Email: ccarlyon@carlyoncica.com
dcica@carlyoncica.com
Co-Counsel for Chris McAlary

DIAMOND MCCARTHY LLP
Allan B. Diamond, Esq.
(pro hac vice admitted)
Christopher D. Johnson, Esq.
(pro hac vice admitted)
Justin Strother, Esq.
(pro hac vice forthcoming)
909 Fannin, Suite 3700
Houston, Texas 77010
Email: adiamond@diamondmccarthy.com
chris.johnson@diamondmccarthy.com
justin.strother@diamondmccarthy.com
Co-Counsel for Chris McAlary

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No.: Case No. BK-S-23-10423-MKN

Chapter 11

**STIPULATION REGARDING
SCHEDULING OF DATES IN
CONNECTION WITH JOINT MOTION
TO APPROVE SETTLEMENT
AGREEMENT WITH COLE KEPRO
INTERNATIONAL, LLC PURSUANT
TO FEDERAL RULE OF
BANKRUPTCY PROCEDURE
9019[ECF NO. 1295]**

Hearing Date: November 1, 2023
Hearing Time: 9:30 a.m. (PT)

Chris McAlary ("McAlary"), by and through his counsel, the law firm of Carlyon Cica, Chtd.; Cash Cloud, Inc. ("Debtor") by and through its counsel Fox Rothschild LLP; and the Official Committee of Unsecured Creditors (the "Committee") by and through its counsel McDonald Carano LLP and Seward & Kissel LLP hereby stipulate and agree as follows (the "Stipulation"):

RECITALS

WHEREAS, on September 22, 2023, Debtor and the Committee filed a Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC Pursuant to Federal Rule of Bankruptcy Procedure 9019 (the “9019 Motion”) [ECF No. 1295].

WHEREAS, the hearing on the Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC [ECF No. 1295] is set for November 1, 2023 at 9:30 a.m. (PT).

WHEREAS, the current deadline for McAlary to file his Opposition (“Opposition”) to the Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC [ECF No. 1295] is October 19, 2023, as agreed to by the Debtor and the Committee.

WHEREAS, the Parties have conferred and agreed to certain deadlines in connection with the 9019 Motion and wish to memorialize said deadlines by way of this Stipulation;

NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

IT IS STIPULATED AND AGREED that:

1. The following dates/schedule shall apply:

EVENT	DATE
30(b)(6) Deposition of Debtor Cash Cloud Inc.	October 24, 2023 at 9:00 a.m.
Deadline for McAlary to object to Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC (the “ <u>Objection</u> ”)	10 days prior to the Hearing Date
30(b)(6) Deposition of the Official Committee of Unsecured Creditors Inc.	October 30, 2023 at 9:00 a.m.
All declarants to be made available for remote deposition at dates convenient to the witnesses and counsel.	No later than 7 days prior to the Hearing Date
Deadline for Debtor and the Committee to file Replies in support of Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC	5 days prior to the Hearing Date
Proposed Hearing Dates - (Half Day) (subject to Court calendar)	November 13, 2023 or November 16, 2023

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

1 2. Pursuant to LR 9017, the Parties agree to the alternate direct testimony procedure with
2 respect to the 9019 Motion; provided, that notwithstanding LR 9017(e), any witness that does
3 not reside, is not employed, or does not regularly transact business in person within the District
4 of Nevada shall be permitted to appear for cross examination, rebuttal, and surrebuttal via
5 videoconference; provided however for the avoidance of doubt that nothing herein shall be
6 construed to abridge Rule 32(a)(4)(2) of the Federal Rules of Civil Procedure as made applicable
7 pursuant to Rule 7032 of the Federal Rules of Bankruptcy Procedure.

8 3. Counsel shall be permitted to attend the Evidentiary Hearing via videoconference.

9 **IT IS SO STIPULATED AND AGREED.**

10 **CARLYON CICA CHTD.**

11 **FOX ROTHSCHILD LLP**

12 By: /s/ Dawn M. Cica, Esq.
13 CANDACE C. CARLYON, ESQ.
14 Nevada Bar No.2666
15 DAWN M. CICA, ESQ.
16 Nevada Bar No. 4565
17 265 E. Warm Springs Road, Suite 107
18 Las Vegas, NV 89119
19 Counsel for Christopher McAlary

20 By: /s/ Brett A. Axelrod, Esq.
21 BRETT A. AXELROD, ESQ.
22 Nevada Bar No. 5859
23 DANIEL MANN, ESQ.
24 Nevada Bar No. 15594
25 NICHOLAS A. KOFFROTH, ESQ.
26 Nevada Bar No. 16264
27 Counsel for Debtor

28 **SEWARD & KISSEL LLP**

29 By: /s/Laura E. Miller, Esq.
30 John R. Ashmead, Esq.
31 Robert J. Gayda, Esq.
32 Catherine V. LoTempio, Esq.
33 Laura E. Miller, Esq.
34 Andrew J. Matott, Esq.
35 (*pro hac vice applications granted*)
36 One Battery Park Plaza
37 New York, NY 10004

38 -and-

39 **MCDONALD CARANO LLP**

40 Ryan J. Works, Esq. (NSBN 9224)
41 Amanda M. Perach, Esq. (NSBN 12399)
42 2300 West Sahara Avenue, Suite 1200
43 Counsel for Official Committee of
44 Unsecured Creditors

CERTIFICATE OF SERVICE

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Cristina Robertson
An employee of Carlyon Cica Chtd.

CARLYON CICA CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119